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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/248,294	02/11/1999	HARLAN SEXTON	50277-179	8597

7590

04/25/2002

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EXAMINER

ZHEN, LI B

ART UNIT

PAPER NUMBER

2151

DATE MAILED: 04/25/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary

Application No.

09/248,294

Applicant(s)

SEXTON ET AL.

Examiner

Li B. Zhen

Art Unit

2151

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) ____ is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-3, 5-9, 11-13, and 15-19 is/are rejected.
- 7) ☒ Claim(s) 4, 10, 14 and 20 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2,3,5-7.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Objections

1. The numbering of claims is not in accordance with 37 CFR 1.126 which requires the original numbering of the claims to be preserved throughout the prosecution. When claims are canceled, the remaining claims must not be renumbered. When new claims are presented, they must be numbered consecutively beginning with the number next following the highest numbered claims previously presented (whether entered or not). Misnumbered claims 8 – 17 and 21 – 26 has been renumbered 5 – 14 and 15 – 20.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

3. Claims 5 and 15 are rejected under 35 U.S.C. 102(e) as being anticipated by Brownell U.S. Patent No. 6,009,266.

As to claim 5, Brownell teaches (column 13, lines 50 – 60; column 14, lines 14 – 23) storing references (indirection) between objects as self-relative numeric references (data elements 512 – 516, Fig. 5b).

As to claim 15, this is a product claim that corresponds to method claim 5; note the rejection of claim 5 above, which also meets the product claim. Obviously,

computer instructions would need to be stored on a computer medium that would allow the instructions to be retrieved in a later time.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1 – 3, 6 – 9, 11 – 13, and 16 – 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brownell in view of Carter U.S. Patent No. 5,845,331.

As to claim 1, Brownell teaches (column 13, lines 50 – 60; column 14, lines 14 – 23) a first object (persistent server object), a second object (persistent object reference 510, Fig. 5), storing a self-relative numeric reference (data elements 512 – 516, Fig. 5b) within the second object. Brownell does not teach generating a pointer as a sum of a numeric value and a second pointer.

However, Carter teaches (column 7, lines 23 – 35) generating a pointer (generating new pointers) as a sum of a numeric value (integer offset) and a second pointer (existing pointers).

It would have been obvious to apply generating a pointer as a sum of numeric and a second pointer as taught by Carter to the invention of Brownell because it would allow the creation of new pointers that are related to existing pointers.

As to claim 11, this is a product claim that corresponds to method claim 1; note the rejection of claim 1 above, which also meets the product claim.

As to claims 2 and 12, Brownell (column 7, lines 23 – 35 of Carter) as modified teaches a predetermined constant (base of the segment).

As to claims 6 – 8 and 16 – 18, Brownell does not teach calculating a pointer difference between two objects and a predetermined constant.

However, Carter teaches (column 4, lines 20 – 30; column 7, lines 20 – 35; column 8, lines 20 – 30) tagged pointer arithmetic and a predetermined constant (segment base).

It would have been obvious to apply calculating pointer difference and a predetermined constant as taught by Carter to the invention of Brownell because it would provide information to locate objects.

As to claims 3, 9, 13, and 19, Brownell teaches (column 10, line 35 – 45) objects that have the same contiguity (Fig. 3c, objects reside within the same process and references shared memory) and objects that have different contiguity (Fig. 3a-b, objects reside within different process or different hosts).

Allowable Subject Matter

6. Claims 4, 10, 14, and 20 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

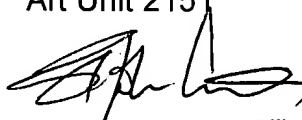
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Li B. Zhen whose telephone number is (703) 305-3406. The examiner can normally be reached on Mon - Fri, 8am - 4:30pm.

The fax phone numbers for the organization where this application or proceeding is assigned are (703) 746-7239 for regular communications and (703) 746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

lbz
April 19, 2002

Li B. Zhen
Examiner
Art Unit 2151



ST. JOHN COURTENAY III
PRIMARY EXAMINER